

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jan 17, 2017

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

AARON JOSEPH CUNNINGHAM,

Plaintiff,

v.

DR. JOHNSON,

Defendant.

NO: 2:16-CV-0346-SMJ

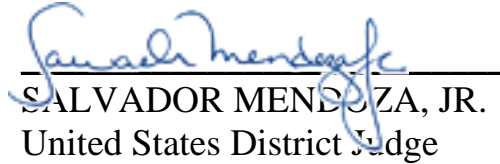
ORDER DISMISSING ACTION

By Order filed December 16, 2016, the Court directed Plaintiff to submit a new application to proceed *in forma pauperis*, as required by 28 U.S.C. § 1915(a)(1), or to pay the \$400 fee (\$350 filing fee and \$50 administrative fee) to commence this action. ECF No. 7. Plaintiff did not comply with this directive and has filed nothing further.

The Court must assume that Plaintiff has chosen to abandon this litigation. Therefore, **IT IS ORDERED** this action is **DISMISSED WITHOUT PRJEUDE** for failure to prosecute, pursuant to Fed.R.Civ.P. 41(b).

1 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
2 Order, enter judgment, forward a copy to Plaintiff at the Spokane Valley address
3 provided, and close the file.

4 **DATED** this 17th day of January 2017.

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7 SALVADOR MENDOZA, JR.
8 United States District Judge
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